

EXHIBIT 1**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
)	No. 17-cv-3613 (JPO)
v.)	
)	ECF CASE
JAMES H. IM,)	
)	
Defendant.)	
)	

PLAINTIFF SEC'S WITNESS LIST

The SEC may offer testimony of the following trial witnesses in its case-in-chief:

Fact Witnesses

#	Name	In Person or Deposition	Substance of Testimony
1	Nadine Cancell	In Person	Ms. Cancell is an attorney and compliance officer with Nomura; her testimony includes Nomura's compliance policies and procedures (including Nomura's training regarding not lying to its customers) and compliance training provided to Nomura traders.
2	Steve Gordon	In Person	Mr. Gordon, formerly a trader for MKP Capital, purchased CMBS bonds from Nomura; Mr. Gordon's testimony includes his experience in CMBS trading and his interactions with Nomura and the

			Defendant, including those regarding Trade 6 (MLMT 2006-C2 AJ bond) in the Complaint.
3	Shaun Heelan	In Person	Mr. Heelan of DW Investment sold CMBS bonds to Nomura; Mr. Heelan's testimony includes his experience in CMBS trading and his interactions with Nomura and the Defendant, including those regarding Trade 5 (CSMC 2006-C4 D bond) in the Complaint.
4	James H. Im	In Person	Defendant Im was a co-head of the CMBS desk at Nomura; his testimony includes his CMBS trading practice, including making misrepresentations to his customers, when he traded CMBS bonds for Nomura; his testimony will include all the CMBS trades in the Complaint.
5	James Jordan	In Person	Mr. Jordan, a trader at Taconic Capital Advisors, sold CMBS bonds to Nomura; Mr. Jordan's testimony includes his experience in CMBS trading and his interactions with Nomura and the Defendant, including those for Trade 7 (CGCMT 2008-C7 AJ bond) in the Complaint.
6	Chris Lau	In Person	Mr. Lau, formerly a trader at Pine River Capital, bought CMBS bonds from Nomura;

			Mr. Lau's testimony will include his experience in CMBS trading and his interactions with Nomura and the Defendant, including those for Trade 4 (CGCMT 2008-C7 AJ bond) in the Complaint.
7	Toby Maitland-Hudson	In Person	Mr. Maitland-Hudson, formerly a trader at Saba Capital Management, traded CMBS bonds with Nomura; Mr. Maitland-Hudson's testimony includes his experience in CMBS trading and his interactions with Nomura and the Defendant, including those for Trade 1 (regarding MLMT 2006-C2 AJ bond), 3 (MLCFC 2007-9 AJ), 4 (MLMT 2006-C2 AJ), and 5 (MLMT 2006-C2 AJ) in the Complaint.
8	Vlad Muste	In Person	Mr. Muste, a trader at Tricadia Capital Management, LLC, purchased CMBS bonds from Nomura; Mr. Muste's testimony will include his experience in CMBS trading and his interactions with Nomura and the Defendant, including those for Trade 7 (CGCMT 2008-C7 AJ bond) in the Complaint.
9	Nate Oseep	In Person	Mr. Oseep, formerly a trader at Moore Capital Management, LP, sold

			CMBS bonds to Nomura; Mr. Oseep's testimony will include his experience in CMBS trading and his interactions with Nomura and the Defendant, including those for Trade 5 (CSMC 2006-C4 D bond) in the Complaint.
10	Wendy Pei	In Person	Ms. Pei, a trader at Ellington Management Group, purchased CMBS bonds from Nomura; Ms. Pei's testimony will include her experience in CMBS trading and her interactions with Nomura and the Defendant, including those for Trades 1 and 2 (MLMT 2006-C2 AJ bonds) in the Complaint.
11	Jonathan Raiff	In Person	Mr. Raiff is a Senior Managing Director of Nomura and served as one of the Defendant's managers; his testimony includes Nomura's trading policies and procedures (including Nomura's training regarding not lying to its customers) and his interactions with the Defendant regarding Nomura's trading policies and procedures (including the above-mentioned training and annual reviews).
12	Harris Trifon	In Person	Mr. Trifon is formerly a portfolio manager and trader for Western Asset

			Management Company. LLC; he purchased CMBS bonds from Nomura; Mr. Trifon's testimony will include his CMBS trading experience and his interactions with the Defendant, including those for Trade 3 (MLCFC 2007-9 AJ bond) in the Complaint.
13	Nomura records custodian	In Person (if necessary)	Nomura's records custodian's testimony will include authentication of and laying foundation for Nomura documents as business records, including CMBS trading-related documents (if they are not stipulated to by the Defendant).
14	SEC's summary witness (Diego Brucculeri)	In Person	Mr. Brucculeri, a staff accountant at the SEC, will testify as to summary charts he has prepared outlining the calculations for the additional unlawful profits generated for Nomura's CMBS desk in connection with the trades at issue.

Expert Witness

1	Tim Koltermann	In Person	Mr. Koltermann is the SEC's CMBS trading expert who will address materiality issues. Based upon his
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			<p>professional experience and the evidence reviewed in this case (as set forth in his expert report and deposition testimony), he will explain CMBS trading practice, including the negotiations process and the use and importance of market color for market participants such as Nomura's counterparties and customers and reasonable investors. Mr. Koltermann's testimony will also cover Nomura's and the Defendant's interactions with Nomura's customers as reflected in the evidentiary record, including the Defendant's material misrepresentations.</p>
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The SEC reserves the right to call additional witnesses at the time of trial based upon court rulings and/or other developments at trial. In addition, the SEC reserves the right to call additional witnesses at the time of trial for purposes of impeachment and/or rebuttal.